

Docket No.: FSU-0004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Susan Davis ALLEN

Serial No.: 09/909,992 ✓

Confirm. No.: 1377

Filed: July 23, 2001 ✓

For: METHOD AND APPARATUS FOR REMOVAL OF MINUTE PARTICLES
FROM A SURFACE USING THERMOPHORESIS TO PREVENT
PARTICLE REDEPOSITION

:
:
:
: Group Art Unit: 1746

:
: Examiner: G. Winter
:
:

#9
RECEIVED
APR 21 2003
TC 1700
4/22/03

REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In reply to the Restriction Requirement dated March 18, 2003, Applicant hereby provisionally elects Group I (claims 1-13), with traverse.

Claim 1 is directed to a method of removing one or more particles adhered to a surface of a sample. Independent claim 14 is directed to an apparatus for removing one or more particles adhered to a surface of a sample. Claim 14 is a linking claim phrased in means-plus-function format. Because claim 14 is a linking claim, it is respectfully that claims 14-17 should be rejoined and examined along with claims 1-13. Withdrawal of the restriction requirement as to claims 14-17 is hereby respectfully requested.

It is respectfully submitted that the subject matter of each of the designated inventions is sufficiently related that a thorough search for the subject matter of each of the designated

inventions would encompass a search for the subject matter of the remaining designated inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Mark L. Fleshner
Registration No. 34,597
John C. Eisenhart
Registration No. 38,128

P.O. Box 221200
Chantilly, VA 20153-1200
(703) 502-9440 MLF/JCE/kam
Date: April 18, 2003